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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/584,452	06/22/2006	Ryuichi Oota	1018775-000986	4156
21839 7590 07/12/2007 BUCHANAN, INGERSOLL & ROONEY PC POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404			EXAMINER MORRISON, THOMAS A	
			ART UNIT 3653	PAPER NUMBER
			MAIL DATE 07/12/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/584,452	Applicant(s) OOTA ET AL.	
	Examiner Thomas A. Morrison	Art Unit 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/22/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's 6/22/2006 Preliminary Amendment has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the upstream side" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the downstream side" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Also, line 6 of claim 1 recites, "wherein the oblique carrying means **locates in the downstream side**". (emphasis added). It is unclear what is meant by this recitation.

Also, lines 17-18 of claim 1 recite, "wherein the detecting means **locates in the downstream side of the handling member**". (emphasis added). It is unclear what is meant by this recitation.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 2,249,504 (Trydal) in view of Japanese Publication No. 1-133837.

Regarding claim 1, Figs. 1-5 of Trydal show a sheet feeder (Fig. 3) comprising:

a suction carrying means (including 12) for sucking an uppermost sheet of sheets piled up and for carrying the uppermost sheet from the upstream side to the downstream side in a carrying direction;

an oblique carrying means (Fig. 1) for carrying a sheet on the oblique carrying means (Fig. 1), wherein the oblique carrying means (Fig. 1) locates in the downstream side of the suction carrying means (including 12), wherein the oblique carrying means (Fig. 1) carries the sheet slantingly toward a guide wall (34) in order to position an edge of the sheet along the guide wall (34), and wherein the oblique carrying means (Fig. 1) carries the sheet downstream in the carrying direction; and

a handling member (unnumbered vertical wall to the left of roller 13 in Fig. 3) for allowing only the uppermost sheet carried by the suction carrying means (including 12) to pass through the handling member, wherein the sheet feeder separates sheets one

by one from the sheets piled up on a sheet feeding table (11) and then carries the sheets. However, the Trydal patent does not specifically disclose a detecting means and a retracting mechanism, as claimed.

Japanese Publication No. 1-133837 discloses that it is well known to provide a sheet feeder (Fig. 1) with a detecting means (including 32 and 33) for detecting a sheet which is passing through a handling member (whatever element(s) control the spacing through which sheets are conveyed in take out part 21), wherein the detecting means (including 32 and 33) locates in the downstream side of the handling member; and a retracting mechanism (including 59, 61, 62, 47, 43, and 46) for retracting the handling member (whatever element(s) control the spacing through which sheets are conveyed in take out part 21) from the sheet passing through the handling member while the detecting means (including 32 and 33) is detecting the sheet passing through. The English abstract of this Japanese Publication explains that such an arrangement enables an improper paper sheet to be automatically taken out, when takeout trouble is generated. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the apparatus of the Trydal patent with a handling member connected to a retracting means and a detecting means for the purpose of enabling an improper paper sheet to be automatically taken out, when takeout trouble is generated, as taught by Japanese Publication No. 1-133837. Thus, all of the limitations of claim 1 are met.


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

07/05/2007


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